



August 24, 2018

U.S. Environmental Protection Agency
Attn: Mr. Brian Storey
Sector Policies and Programs Division
Office of Air Quality Planning and Standards
109 R.W. Alexander Drive, Mail Code: D243-04
Research Triangle Park, N.C. 27709

Subject: Submittal of Request for Extension of Compliance with 40 CFR Part 63, Subpart JJJJ for Acme Brick Manufacturing Plants

Dear Mr. Storey,

Please find attached the two requests for extensions of compliance with 40 CFR Part 63, Subpart JJJJ. These requests are submitted for the following Acme Brick locations:

Location	Permit Number	Facility ID	Expected Compliance Date
Elgin, Texas	O-1600	100225846	May 2019
Bennett, Texas	O-1597	100225184	Awaiting action by TCEQ – application submitted March 2018

If you have any questions or comments, please call 817-390-1501.

Sincerely,

Mary Ann Keon
EH&S Director, Acme Brick

cc: Mr. Ed Watson
Mr. David Michie
Mr. Luke Odenthal
Mr. Ray Leonard, Brick Industry Association

Request for Extension of Compliance
40 C.F.R. Part 63, Subpart JJJJJ National Emission Standards for Hazardous Air Pollutants
Brick and Structural Clay Products Manufacturing Source Category

I. General Information

A. Facility Information

Facility Name	Acme Brick Bennett Plant	
Facility Street Address	2350 Bennett Road	
Facility Local Contact Name	Tracy Bruton	Title
	Plant Manager	Phone (OPTIONAL)
		940-353-7126
City	Bennett	State
	Texas	ZIP Code
Operating Permit Number (OPTIONAL)	O-1597	Facility I.D. Number (OPTIONAL)
		100225184
Responsible Official's Name/Title	Ed Watson/Senior V.P. Production	
Street Address (if different from Facility Street Address)	3024 Acme Brick Plaza	
City	Fort Worth	State
	Texas	ZIP Code
		76109

B. Indicate the relevant standard or requirement for which you request a compliance extension:

Title 40, Part 63, Subpart JJJJJ (National Emission Standards for Hazardous Air Pollutants for Brick and Structural Clay Products Manufacturing).

II. Timeliness of Request

Pursuant to 40 C.F.R. Part 63, Subpart A, sources must submit requests for extension of compliance with a National Emission Standards for Hazardous Air Pollutants no later than 120 days prior to the affected source's compliance date (unless the elements are met for an alternative submittal date, as outlined in 40 C.F.R. § 63.6(i)). This request:

- ☒ (1) is being submitted on or before August 28, 2018 (120 days before the compliance deadline of December 26, 2018); or
- ☐ (2) is being submitted after August 28, 2018 but before December 26, 2018, because the need for the compliance extension arose after August 28, 2018, and the need arose due to circumstances beyond reasonable control of the owner or operator. An addendum may be included to explain the reasons for the delay in submittal.

Note: A nonfrivolous request under (1) will stay the applicability of the rule as to the emission points in question until the request is granted or denied. A denial will be effective as of the date of denial or the original compliance date, whichever is later. A nonfrivolous request under (2) will stay the applicability of the rule as to the emission points in question until such time as the request is granted or denied.

III. Eligibility

Are you eligible to apply for a compliance extension because you are unable to comply with the relevant standard by December 26, 2018 and need additional time for installation of controls (which includes time to achieve area source status)? 40 C.F.R. § 63.6(i)(4)(i)(A).

☒ Yes ☐ No

The statutory authority for compliance extensions under Clean Air Act Section 112(i) includes adopting controls or limits necessary to qualify as a “synthetic minor” or “area” source.

IV. Compliance Schedule Information

- A. **Select the applicable approach described below (Option 1 or 2) that will be taken by your facility to achieve compliance within one year of the compliance date for the relevant standard (including, if applicable, actions necessary for your facility to qualify as a synthetic area source). 40 C.F.R. § 63.6(i)(6)(i)(A). At your option, you may provide additional detail in an attachment to this form.**

OPTION 1: This facility intends to install controls to reduce emissions to the level of the applicable standard and will be applying for a state minor NSR construction permit, if required by the state regulations, to install the controls. If your compliance approach involves installing physical controls, undertaking material substitution, or some other method, you may wish to describe these controls further in an attachment to this submittal or EPA may request additional information regarding your approach. This application may be subject to withdrawal if circumstances change, such as if EPA revises the NESHAP such that compliance can be achieved by the facility without the need to install controls.

X **OPTION 2:** This facility needs additional time to become an area source. This facility has submitted or will submit a permit application seeking an area source level emission limit, such that it will not be subject to the NESHAP. If you are installing physical controls, undertaking material substitution, or restricting operations to become an area source, you may describe these controls further in an attachment to this submittal or EPA may request additional information regarding your approach. This application may be subject to withdrawal if circumstances change, such as a request to eliminate any such limitation that has been issued if EPA revises the NESHAP such that compliance can be achieved by the facility without the need for an area source permit.

- B. **Describe your compliance schedule. 40 C.F.R. § 63.6(i)(6)(i)(B)(1)-(2).**

1. My facility will submit an application for any required permits by
☐ Yes ☐ No [NA \(see comment below\)](#)
2. If compliance is to be achieved through a means other than becoming an area source, the facility will begin on-site construction, installation of emission control equipment, or initiate a process change within 30 days of obtaining any required permits for such action. 40 C.F.R. § 63.6(i)(6)(i)(B)(1).

If no permits are required for such action, the facility will initiate the activities as applicable by the dates specified below:

- | | |
|---|---------------------------------|
| <input type="checkbox"/> On-site construction | Date: Click here to enter text. |
| <input type="checkbox"/> Installation of controls | Date: Click here to enter text. |
| <input type="checkbox"/> Process change | Date: Click here to enter text. |
| <input type="checkbox"/> Application for _____ | Date: Click here to enter text. |

Comments (OPTIONAL):

This source is in process of being re-permitted as an area source. Historically, the site had multiple kilns which were non-operational. In the July 2018 permit application, these kilns will be removed and the site will become a synthetic minor (area) source. The remaining kiln which was built in the late 1990s has an existing control device.

3. Any restriction on emissions, on-site construction, installation of emission control equipment, or a process change will be completed by December 26, 2019. 40 C.F.R. § 63.6(i)(6)(i)(B)(1).

Comments (OPTIONAL):

Click here to enter text.

4. Specify the date by which final compliance is to be achieved. 40 C.F.R. § 63.6(i)(6)(i)(B)(2).

Date: Actual date will depend upon receipt of final permit with enforceable limits. As stated above, application has been submitted and am currently awaiting response from Texas Commission on Environmental Quality (TCEQ).

Comments (OPTIONAL):

Click here to enter text.

- C. You may provide additional information regarding your method of achieving compliance in an attachment to provide a fuller description of your control strategy than outlined above, as appropriate.

Based upon information and belief formed after a reasonable inquiry, I, as a responsible official of the above-mentioned facility, certify that the information contained in this request is true, accurate, and complete.

Date _____

Signature of Responsible Official

Ell Watson

U.S. Environmental Protection Agency
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Research Triangle Park, NC 27709

You may also wish to send a copy of this submittal to your state or local permitting authority. Be sure that the submittal is made by August 28, 2018 and that you retain proof of the date of submittal for your records.